

MEMO ENDORSED

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August 11, 2015

VIA ECF

The Honorable Paul A. Engelmayer
United States District Court for the Southern
District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

**Re: *Paragon Pet Products Europe B.V. v. Mars, Incorporated*, Case No. 15-cv-5520
(PAE)**

Dear Judge Engelmayer:

Defendant Mars, Incorporated respectfully requests a five-day extension of time—from Friday, August 21, until Wednesday, August 26—to file its opposition to Plaintiff's motion for a preliminary injunction. *See* August 7, 2015 Order [Dkt. #36] (setting briefing schedule). Defendant's counsel has conferred with Plaintiff's counsel, who has authorized us to report that Plaintiff does not oppose this request. Defendant has not previously requested to extend this deadline.

Defendant requests this extension because its attorneys have pre-existing conflicts between August 6, the date of Plaintiff's motion, and August 21, the due date for its opposition. Defendant's lead counsel, Mr. Butswinkas, has a trial starting on August 18. Ms. Turner has a pre-planned family vacation this week (August 10 through 16). And Mr. Hentoff will be out of the country on a pre-planned family vacation from August 18 until August 22. As a result, Defendant requests a modest extension of five calendar days to prepare its opposition papers and supporting declarations. Defendant proposes that Plaintiff's reply deadline be moved from August 28 to September 2 so that it will still have 7 days to file its reply.

Defendant does not seek to postpone the September 11 hearing. If the Court elects to postpone the hearing, Defendant requests that it be reset on the first available date.

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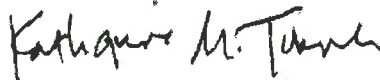
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Thus, Defendant respectfully requests that the Court modify its scheduling order so that (i) Defendant's opposition to Plaintiff's motion for a preliminary injunction is due on August 26, 2015; and (ii) Plaintiff's reply is due on September 2, 2015.

Respectfully submitted,



Katherine M. Turner

Counsel for Defendant Mars, Incorporated

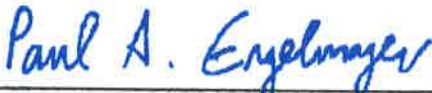
cc: James W. Dabney, Esq.
George A. Tsougarakis, Esq.
Emma L. Baratta, Esq.
Natasha Reed, Esq.
Nathaniel Fintz, Esq.

The Court hereby adopts the following revised schedule:

1. Defendant's opposition brief is due August 26, 2015.
2. Plaintiff's reply brief is due September 2, 2015.
3. The Court will hold argument on September 16, 2015, at 11 a.m.

SO ORDERED:

8/12/2015



HON. PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE